



June 14, 2004

Hon. Commissioner of Patents and Trademarks
Washington, D.C. 20231

RE: Utility Application of: **HOWARD W. LISBY**

Atty's Dkt No.	0461M-001	Serial No.	10/618,921
Filed:	07/14/2003	Group Art Unit:	3711
For:	GOLF BALL RETRIEVAL AND BALL MARK REPAIR TOOL	Examiner:	S. Blau

Dear Sir:

Enclosed find the following for the above referenced matter:

- (1) Response to examiner's first Office Action, including election in response to restriction requirement;
- (2) A Certificate of Mailing; and
- (3) A return receipt postcard for date stamping and returning upon receipt.

The Commissioner is hereby authorized to charge any fees under 37 CFR 1.16 and 1.17 which may be required by this paper to Deposit Account No. 50-0466.

Sincerely,


Guy V. Manning, Reg. No. 34,868
ATTORNEY FOR APPLICANT

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encl.

CERTIFICATE OF MAILING

I hereby certify that this paper or fee was deposited into the United States Post Office bearing sufficient postage as first class mail on or before the date indicated on this certificate and that it is addressed to the Commissioner of Patents and Trademarks, Washington, D.C. 20231.

Date of Deposit: 6/14/04 By 



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of
HOWARD W. LISBY, Jr.,

Serial No. **10/618,921**

Attorney's Docket No.
0461M-001

Art Unit: **3711**

Filed: 07/14/2003

Examiner: **S. Blau**

For: **GOLF BALL RETRIEVAL AND
BALL MARK REPAIR TOOL**

**RESPONSE TO RESTRICTION REQUIREMENT
AND ELECTION OF SPECIES**

Hon. Commissioner of Patents and Trademarks
Washington, D.C. 20231

Dear Sir:

In this first office action mailed May 24, 2004, the examiner subjected Claims 1 - 20 of the application to a restriction requirement. The examiner identifies two distinct species of the claimed invention distinguished by their coupling means. Multiple generic claims (Claims 1 - 3, 10 - 11, 15, 18 and 21) are present, but should none be allowable, the examiner requires election by Applicant of a species for prosecution.

Species 1 is drawn to coupling means that includes a tang for insertion into the butt end of a golf club. Claims 4 - 6, 12 - 14, 16 and 19 and Figures 1 - 4 address this species.

Species 2 is drawn to coupling means that includes a strap which wraps around the butt of a golf club. Claims 7 - 9, 17 and 20 and Figures 5 - 7 address this species.

ELECTION

Applicant elects to prosecute Species 1 in the event no generic claims are held allowable.